

JOINT APPENDIX

APP. 20

UNITED STATES

Supreme Court of the United States

October Term, 1974

[No. 74-40]

GEORGE F. KUGLER, JR., Attorney General of the State of New Jersey, JOSEPH A. HAYDEN, JR., Deputy Attorney General of the State of New Jersey, CHIEF JUSTICE JOSEPH A. WEINTRAUB, ASSOCIATE JUSTICES NATHAN L. JACOBUS, HAYDEN PROCTOR, FREDERICK W. HALL, WORRALL F. MOUNTAIN, JR., and MARK A. SULLIVAN, of the Supreme Court of New Jersey, and THE STATE OF NEW JERSEY,

Petitioners,

vs.

EDWIN H. BELFANT,

Respondent.

[No. 74-277]

EDWIN H. BELFANT,

Cross-Petitioner,

vs.

GEORGE F. KUGLER, JR., Attorney General of the State of New Jersey, JOSEPH A. HAYDEN, JR., Deputy Attorney General of the State of New Jersey, CHIEF JUSTICE JOSEPH A. WEINTRAUB, ASSOCIATE JUSTICES NATHAN L. JACOBUS, HAYDEN PROCTOR, FREDERICK W. HALL, WORRALL F. MOUNTAIN, JR., and MARK A. SULLIVAN, of the Supreme Court of New Jersey, and THE STATE OF NEW JERSEY,

Cross-Respondents.

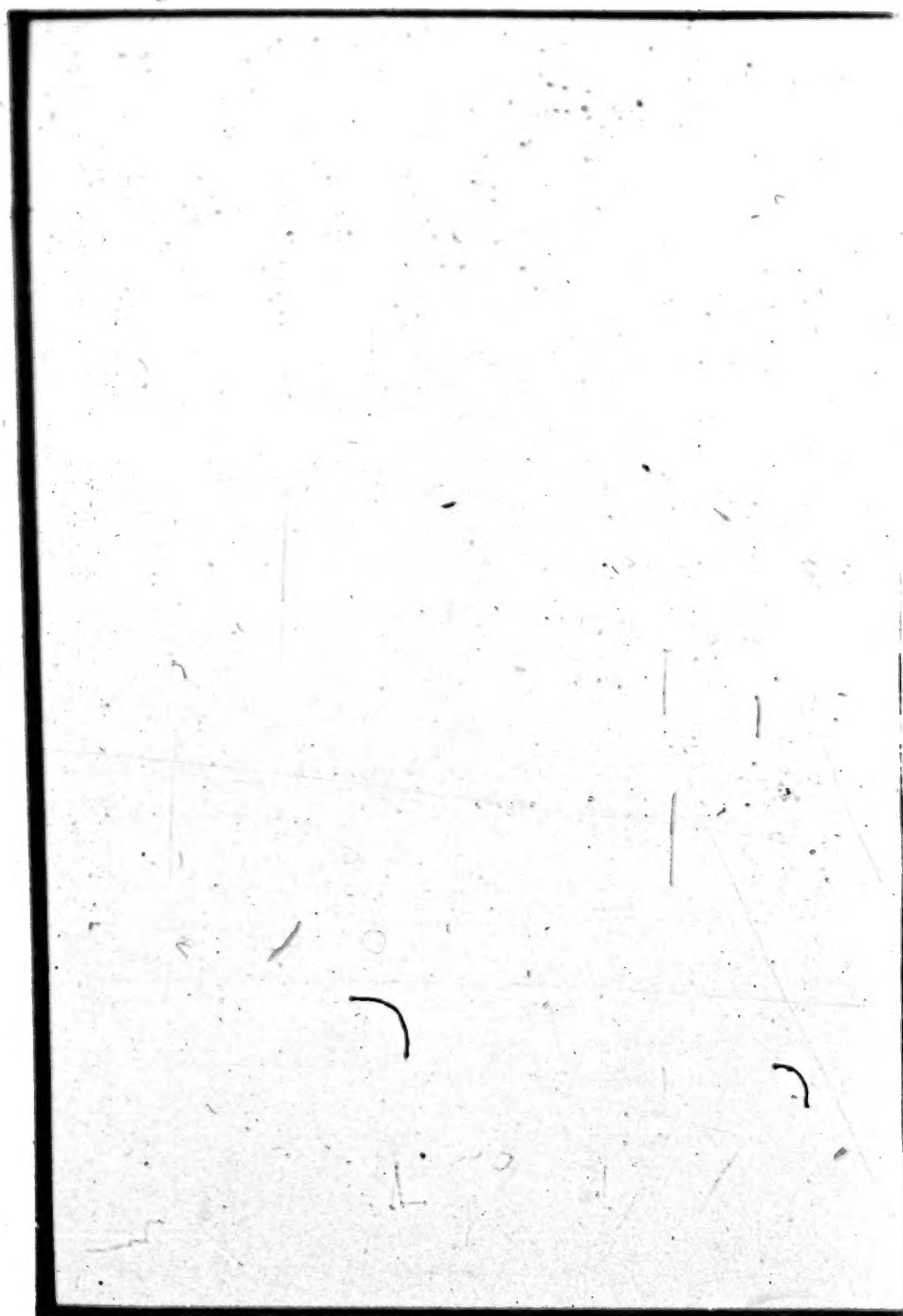
ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

PETITION FOR CERTIORARI FILED AUGUST 6, 1974

PETITION FOR CERTIORARI GRANTED NOVEMBER 12, 1974

CROSS-PETITION FOR CERTIORARI FILED SEPTEMBER 11, 1974

CROSS-PETITION GRANTED NOVEMBER 12, 1974



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APPENDIX

Docket Entries, United States Court of Appeals for the Third Circuit

GENERAL DOCKET

APPEAL FROM DISTRICT OF NEW JERSEY (CAMDEN)

CASE No. 73-1386

EDWIN H. HELFANT,

Appellant,

vs.

GEORGE F. KUGLER, Attorney General of the State of New Jersey, JOSEPH A. HAYDEN, JR., Deputy Attorney General of the State of New Jersey, CHIEF JUSTICE JOSEPH A. WEINTRAUB, ASSOCIATE JUSTICES NATHAN L. JACOBS, HAYDN PROCTOR, FREDERICK W. HALL, WORRALL F. MOUNTAIN, JR., and MARK A. SULLIVAN, of the Supreme Court of New Jersey, and THE STATE OF NEW JERSEY

No. Below: D. C. Civil 607-73

Judge Below: John J. Kitchen

Date of Judgment:

Notice of Appeal filed: May 11, 1973

Commenced in D. C. 5-3-73

*Docket Entries, United States Court of Appeals
for the Third Circuit*

*Date**Filings—Proceedings*

5-11-73 Copy of Notice of Appeal, rec'd. from counsel, filed.

Motion by appellant seeking injunction pending appeal, for an order granting a stay and injunction pending criminal proceedings in New Jersey Superior Court under Indictment No. SGJ 10-72-10, from the District Court order denying relief and dismissing complaint dated May 9, 1973, filed. (4 copies).

Affidavit of service of above motion by appellant by hand delivery on May 10, 1973, filed.

5-14-73 Copy of Notice of Appeal, rec'd. from D.C., filed.

5-14-73 Letter-Answer, dated May 14, 1973, from counsel for appellees to appellant's motion seeking injunction pending appeal, etc., filed. (1 copy), Proof of service in letter-answer.

5-14-73 Documents filed in the District Court, Motion to Dismiss Complaint, and supporting brief in support of appellees' letter-answer, rec'd. for the information of the Court. (4 copies).

5-14-73 Submitted on appellant's motion seeking injunction pending appeal, for an order granting a stay and injunction pending criminal proceedings, etc., Coram: Van Dusen, Gibbons and Rosenn.

5-16-73 Appearance of Marvin D. Perskie, Esq.; and Patrick T. McGahn, Jr., Esq.; Perskie and Callinan for appellant, filed.

*Docket Entries, United States Court of Appeals
for the Third Circuit*

*Date**Filings—Proceedings*

- 5-17-73 Order (*Van Dusen*, Gibbons and Rosen) denying appellant's motion seeking injunction pending appeal, for an order granting a stay and injunction pending criminal proceedings in New Jersey Superior Court under Indictment No. SGJ 10-72-10, from the District Court order denying relief and dismissing complaint dated May 9, 1973, filed.
- 5-17-73 CC of above order to C of D.C.
- 5-17-73 Record and Exhibits. rec'd, May 15, 1973, filed.
- 5-18-73 Appearance of Edward C. Laird, Esq. for appellees, filed.
- 6-11-73 Copy of letter dated June 8 rec'd from Clerk of Supreme Court advising that a motion for injunction pending disposition of Third Circuit Court of Appeals was denied by Mr. Justice Brennan.
- 6-25-73 Brief for appellant and appendix, filed. (25 cc.).
Affidavit of service by mail on June 21, 1973 attached to brief.
- 7-24-73 Brief for appellee (and appendix rec'd. for information of the Court), filed. Affidavit of service by mail on July 23, 1973 attached.
- 7-30-73 Letter in-lieu of reply brief for appellant, filed. (25 copies). Proof of service in letter.
- 8- 2-73 Motion by appellant, with affidavit in support, to schedule appeal for an immediate hearing,

4a

*Docket Entries, United States Court of Appeals
for the Third Circuit*

Date

Filings—Proceedings

- so that a decision may be rendered prior to September 10, 1973, filed. (3 cc.). Proof of mailings attached.
- 8- 6-73 Memorandum in Opposition by appellees to appellant's motion, filed. (3 cc.). Affidavit of service attached.
- 8- 6-73 Submitted on above motion. Coram: Adams and Rosenm.
- 8- 8-73 Order (Adams and Rosenm) granting appellant's motion to schedule appeal for an immediate hearing so that a decision may be rendered prior to September 10, 1973, and the case will be listed for disposition on the merits during the week of September 4, 1973, filed.
- 8-21-73 Letter dated August 20, 1973 rec'd from Marvin D. Perskie, Esq. for the information of the Court.
- 9- 7-73 Argued. Coram: Staley, Adams and Gibbons.
- 9- 7-73 Order (Staley, Adams and Gibbons) staying the state criminal action until further order of this court, which shall be entered no later than September 12, 1973, filed.
- 9- 7-73 Certified copy of above order to C. of DC.
- 9-10-73 Opinion Per Curiam (Staley, Adams and Gibbons), (with Adams concurring), filed.
- 9-10-73 Judgment (Staley, Adams and Gibbons), attested by Clerk, reversing the order of the

